





To Advertisers & the Public

THE DAILY BRITISH COLONIST, published every morning (Sundays excepted), at the residence of the Proprietor, ready for mailing, at 25 cents per week, payable to the Proprietor.

THE WEEKLY BRITISH COLONIST, published every Tuesday, at the residence of the Proprietor, ready for mailing, at 25 cents per week, payable to the Proprietor.

JOB PRINTING.

THE BRITISH COLONIST PUBLISHING COMPANY have received a large addition to their stock of new and beautiful printing type, with extensive orders to any extent with neatness and dispatch, at a slight advance on San Francisco prices.

THE VEXED QUESTION.

In another column will be found the names of those property owners who feel themselves aggrieved at the erection of fences on the Church Reserve. It will be seen that they comprise many of the most respectable as well as influential of our citizens, the inference of the *Chronicle* to the contrary notwithstanding. When such men as these pray for the Mayor and the City Council to have the erections, which they properly term nuisances, on the reserve removed, their petition cannot be lightly treated nor their motives impugned. They make a demand which is as just and as tenable as if the obstructions were placed within a foot of their own doors. The general public have made their claims in general terms. They have asserted not only their right of way to a piece of ground which has always been used as public property, but they maintain that the Home Government had no legal power to convey this property to any one particular party or denomination. The claims, therefore, put forward are various, but they are all as tenable as the others. The property holders contiguous to the reserve have an immediate and pecuniary interest in the transaction and it is but natural that their claims, although in other respects the least, should come first. They maintain that their property was purchased from the Hudson's Bay Company on the distinct understanding that the reserve was always to be an open square. After the lapse of nearly seven years they find that the open square has been turned into an enclosure, and the property lodged for the purpose of building. The first material effect on them is the rapid depreciation of the value of their town lots, and here we have a very natural as well as a very just cause of indignation against the "fence." In any other free country the obstructions would long ere this have been torn down by the outraged property owners themselves, but in Vancouver Island the people have been so used to high-handed measures on the part of those in authority or position that injuries as well as indignities are suffered with a patience that is "more honored in the breach than in the observance." The Council, is, however, asked to have the fences removed, and, on the more general grounds of obstructing public rights-of-way as well as infringing public rights, it expresses its desire to carry out the prayer of the petition. For the fifth time the Mayor is thus asked to step in and protect the interests of the city. Mr. Harris has got a week's breathing time, and his decision is to be given to the Council on Monday evening. That decision may embrace one of three courses. It will show to the inhabitants that the Mayor by some mysterious means or other is unwilling to act, or it will indicate an earnest desire to carry out the wishes of the public in either summoning the offending parties or having the fences without any more delay removed. The latter would be not only the most popular but the wisest course. That line of action that throws the onus of legal initiation on the Church party is the proper line to take; for it gives the public the strong, and in this instance impregnable position of defence. The *onus probandi* is thrown on Bishop Hills, and his position of plaintiff requires him to have a three-fourths verdict. If, on the other hand, the Mayor is sufficiently ill-advised to make the city the plaintiff, the advantages will then all be on the side of the Church; for while the city will be obliged to have six out of eight jurors, the former body will, acting on the defensive, only require three. The immediate removal of the fences is therefore the most economical, as well as the most effective, course to follow.

To put the exact position of affairs before the public, we may briefly summarise:—The ground is claimed in the first instance as public property, because the public has had the uninterrupted use of it for seven years, and because the conditions of sale of the surrounding property make it necessary that it should always be kept open. In the second place rights of way are claimed which run across the reserve in various directions. The first argument is that neither the Hudson's Bay Company nor the Home Government had any right to sell or donate the reserve, after the property in the vicinity had been sold. It was then clearly as much a part of the public property as the streets themselves, which, however, ludicrous enough, were at one time claimed by the Company. In other words, the Home Government had just about as much right to dead away the end of Government street as they had to convey to the Church the reserve. When we come to the question of right-of-way we find it in much the same position as Beacon Hill Park. The public have certain walks over the Park and round it, but we would like to see any party attempt to confine the inhabitants to these walks by fencing in the unrodded portion of the hill. The reserve in this respect stands in the same position as the park; it is not a right of way from this street to that which will satisfy the inhabitants, but the whole area embraced within the term on the city map.

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On Leech River.

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BEEHIVE STORE!

(LATE W. WARD.)  
Bacon Bar,  
GRUB AT WHOLESALE.

Town Prices for Cash.  
Bacon Bar, August 14, 1865.

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Naval Stores, Rope, Canvas, Oars, &c., &c.,  
Wharf street, Victoria, V.I.

Sporborg & Rueff,  
COMMISSION MERCHANTS,  
Importers and Wholesale Dealers  
—IN—  
Groceries, Provisions,  
Boots and Shoes.

WHARF STREET, VICTORIA, V.I.  
J24 DW1

In the Supreme Court of Civil Justice,  
Vancouver Island.

IN BANKRUPTCY.  
In re William Colverwell.

AT A MEETING OF THE CREDITORS of the above named bankrupt, held at the Court House, James Bay, Victoria, this 14th day of August, 1865, present to notice in that behalf, Charles Bedford Young, Esq., was appointed a Creditor or Trade Assignee of the above Estate, in lieu of Henry Hadden, Esquire, resigned, and which appointment his Honor the Chief Justice has confirmed.

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St. Louis College Church.  
Feast of Napoleon III., Emperor  
of the French.

SOLEMN HIGH MASS,  
On SUNDAY, 20th Aug., at 11 o'clock, a.m.

On Monday's celebrated Mass, so deservedly admired by all, will be sung on the occasion of a full choir.

NEW ADVERTISEMENTS.

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THOMAS OF SALE—One-half Cash down the balance in six calendar months from the date of sale, with interest at the rate of 2 per cent. per month. Acts of purchase at the expense of the buyer. VALENTINE HALL, Attorney for Jesse Lindsey. New Westminster, August 14, 1865.

LAND AND WORKS DEPARTMENT,  
August 16th, 1865.

SEALED TENDERS, ADDRESSED to the Colonial Secretary, and enclosed "Tenders for work on the Sir James Douglas," will be received until noon of the 21st instant, for making and fitting the Iron Ropes, Breastworks, &c., required. Sections and Specifications may be seen at the Land Office, on and after the 17th instant, where printed forms of Tenders can be obtained. Each tender must be accompanied by the names of two persons (to be approved of) who are willing to become joint security for the undertaking and completion of the contract within the specified time, in a sum equal to one-fourth of the amount of the price of the contract, or of one hundred and fifty dollars, which will be retained until the work is completed, or will be returned if the tender be not accepted. 2. Payments will be made monthly, or as often as the officer approving may direct, in reference to the amount fairly expended, in reference to the Contract. 3. Every facility and encouragement will be given to bona fide contractors and working men. 4. The Government will not bind themselves to accept the lowest or any tender. 5. Tenders will not be received unless rendered on the prescribed printed form. By his Excellency's command. B. W. PEARSE, Acting Surveyor General.

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